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B. Background

In this section they espouse the exemplary safety record of the WIPP transportation program. However nowhere in the document do they indicate that they will implement a similar program for the SNF and HLW with the commercial transportation companies to ensure a similar safety environment. It is essential that the same level of guarantees the WIPP transportation plan provided the States be provided with this transportation plan.

Throughout the document

Many other documents (@15-20) are cited pertaining to standards, studies, and decisions that are incorporated into this document. Unfortunately we do not have ready access to these documents – such as the *Association of American Railroads S-2043*. We need the individual item of the citation included or a site provided by DOE that has all these documents for our review. Without access to these documents we cannot accept the sections that reference them.

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4. Navy Nuclear Propulsion Program SNF.

Will the Navy adhere to the provisions of this program and will the transportations by the Navy be subject to all the stipulations of this plan. That way all the established procedures and policies will apply to both programs without changes at the local level.

D. Transportation Modes

With the selection of rail as the DOE preferred transportation scenario with dedicated trains, will the DOE mandate the rail carriers to use “Dedicated Crews” that are selected and trained beyond the DOT requirements – such as the WIPP truck crews whose training, selection, and standards exceed the DOT requirements for drivers?

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It would be appropriate on this page to address inter-modal transportation issues. Inter-modal transportation should be included in the discussion of modes of transportation. How will sites without rail load SNF onto trucks or barges. Will the trucks then proceed directly to Yucca Mountain or will they stop and transfer to a train. If so how will the transfer take place and where? Is an EIS required for the inter-modal operations? The issues involving barges are so complex as to be unfathomable.

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III. Development of the Transportation System

Although there is great optimism that the Nevada Rail Infrastructure Project will be accomplished to allow Yucca Mountain access, if this project fails what is the back-up plan and has an EIS been performed to show the impact of the other transportation methods?

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2. National Transportation Project

This section discusses the short-distance transfer is discussed (inter-modal is another way to term this activity) the section also states these activities will be procured commercially. Therefore, in addition to the rail transportation plan, we will need a transportation plan emulating the WIPP transportation plan to manage safely this short-distance process.

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2. Assessment of Existing Infrastructure

On-site and Near-site infrastructure. As stated the Utility and the DOE may be responsible for any infrastructure upgrades within the gates of their facilities, however the States are responsible for the safety of those infrastructure improvements and their operating procedures; to include State and Federal environmental issues.

Neither the FICA study nor the FIDS are available for our review and until we have a chance to review them this section should remain as a contested section.

Near-site Transportation Infrastructure (NSTI) this entire discussion is inadequate. Relying on the DOT planning and funding and for private sector investments for the needed upgrades does not address the myriad issues for this part of the transportation plan. OCRWM must have some sort of oversight role for this issue or it will not be accomplished. DOT will be required to fund the entire process or States will view the requirement to upgrade NSTI as an unfunded mandate by the DOE. This process requires much further elaboration by the DOE in this plan.

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c. Inspections

California maintains the right to inspect any shipment of SNF or HLW in any mode of transportation at any time within the borders of our state. The plan must point out the ability of the states to do inspections regardless of the mode or FRA rules.

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D. Key Logistics Development Initiatives

The routes used in figure I which are the representative routes analyzed in the final repository EIS need to be iterated in print and not in vague pictures. This allows states to better examine the routes for planning.

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Under Route Identification

The plan states that under current regulation, DOE will have the responsibility for final route selection using the input from the stakeholder community.

This is only true in the current regulations, and should not be taken as license to impose routing that is not acceptable to the States. The recourse for this issue could take longer to resolve than the opening of Yucca Mountain itself.

2a DOE emergency Response Plan

This section should iterate the intent to integrate with local response.